

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*, §  
§  
Plaintiffs, §  
§  
v. § Case No. 1:18-CV-68  
§  
UNITED STATES OF AMERICA, *et al.*, §  
§  
Defendants, §  
§  
and §  
§  
KARLA PEREZ, *et al.*, §  
§  
Defendant-Intervenors. §

**DEFENDANT-INTERVENORS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendant-Intervenors Elizabeth Diaz, et al. (“Defendant Intervenors”) respectfully move for summary judgment in their favor on the grounds that the material facts demonstrating that Plaintiffs lack standing to pursue Counts I, II, and III of their First Amended Complaint (ECF No. 104) and their Supplemental Complaint (ECF No. 623) are not in dispute, and that Defendant-Intervenors are entitled to judgment as a matter of law. Defendant-Intervenors are also entitled to judgement as a matter of law because the material facts demonstrating that AR2022\_100195, Deferred Action for Childhood Arrivals, 87 Fed. Reg. 53,152 (Aug. 30, 2022) (codified at 8 C.F.R. pts 106, 236, and 274a) comports with the Immigration and Nationality Act and the Administrative Procedure Act are not in dispute and Defendant-Intervenors are entitled to judgment as a matter of law. In support of this motion, the Court is respectfully referred to the accompanying Brief of Defendant-Intervenors Elizabeth Diaz, et al. in Support of Their

Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment.

Dated: March 2, 2023

Respectfully Submitted,

**MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND**

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on March 2, 2023, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

*/s/ Nina Perales*  
Nina Perales  
Attorney for Defendant-Intervenors